

UNITED STATES DISTRICT & BANKRUPTCY COURT

Southern District of Texas

CAUSE: _____

DEMETRIA SMITH

)(

JOHNNY T. TAYLOR

)(

HARRIS COUNTY TX

DEREK BROZE

)(

Plaintiff

)(

Vs

)(

)(

KTRK-TV ABC 13 NEWS

)(

RAY HUNT

)(

WENDY GRENADO

)(

Jury trial demand

HOBBY CENTER

)(

HOUSTON POLICE DEPARTMENT

)(

HARRIS COUNTY SHERIFF OFFICE

)(

HARRIS COUNTY CONSTABLE PRECINCT 1

ART ACEVEDO

)(

TROY FINNER

)(

ED GONZALEZ

)(

ALLEN ROSEN

)(

Defendants

)(

ORIGINAL PETITION 47 CFR § 73.1941 - Equal Opportunities CANDIDATE
DISCRIMINATION / TEMPORARY RETRAINING ORDER AND APPLICATION FOR TEMPORARY
INJUNCTION

INTRODUCTION

TO SAID HONORABLE JUDGE: PLAINTIFFS LIKE TO BE SWORN IN AS WELL AS ALL PARTIES SHOULD BE SWORN IN AND BE ON RECORD FURTHERMORE PLEASE READ THIS PLEADING IN ITS

ENTIRETY PLAINTIFFS ALSO BRING BEFORE YOU STANDING OF CANDIDATES EQUAL TIME VIOLATION UNDER THE LAW MAYORAL CANDIDATES DEMETRIA SMITH DEREK BROZE JOHNNY TAYLOR IS REQUESTING TO HAVE EQUAL TIME ON KTRC-TV ABC 13 UPCOMING MAYORAL DEBATE HELD AT THE **HOBBY CENTER IN THE ZHILKA HALL AT 7:00PM ON 10.2.2019** PLAINTIFFS ARE CERTIFIED CANDIDATES OFFICIALLY ON THE BALLOT AND HAVE BEEN EXCLUDED TO PARTICIPATE AS MAYORAL CANDIDATES AT THIS PUBLIC DEBATE KTRK-TV ABC 13 IS IN VIOLATION OF THE EQUAL TIME RULE FEDERAL LAW FOR DISCRIMINATING AND DEPRIVING PLAINTIFFS EQUAL TIME UNDER THE LAW **(47 CFR § 73.1941 - Equal Opportunities.** PLAINTIFF WITNESS WITH HER OWN EYES KTRK-TV ABC 13 AIRED ON THE NEWS ON 09.26.2019 APPROX. 3:06P A TELEVISED MAYORAL DEBATE FOR THE DATE MENTIONED IN THE DATE MENTIONED IN THIS PETITION AND TIME ONLY SHOWING PICS OF MAYORAL CANDIDATES BILL KING TONY BUZBEE SYLVESTER TURNER SUE LOVELL AND DWIGHT BOYKINS AND PLAINTIFF DEMETRIA SMITH CALLED KTRK-TV ABC 13 IMMEDIATELY TO ASK WHY HER NAME WAS NOT INCLUDED ON THE DEBATE ALONG WITH THE OTHER 6 MAYORAL CANDIDATES WHICH INCLUDES VICTORIA ROMERO KENDALL BAKER HOJAMI N. AND RAY V. AND JASON STATED ON THE LINE THAT HE IS NOT SURE AND THAT MAYBE IT HAVE SOMETHING TO DO WITH SOME CRITERIA OR REQUIREMENT I'VE ASKED TO SPEAK TO WENDY GRENADO

RAY HUNT AND CYNTHIA CISNERO AND I WAS TOLD BY THE STATION THAT THESE PEOPLE WERE NOT AVAILABLE AFTER SEVERAL PHONE CALLS ATTEMPTS KENDAL BAKER ALSO CALLED AND GOT THE SAME RESPONSE JOHHNY T TAYLOR CAMP CALLED AND GOT THE SAME RESPONSE IN TERMS OF NO AVAILABILITY UNTIL THEY REACHED CYNTHIA CISNERO AND SHE WAS SUPPOSE TO REACH BACK OUT TO HIS CAMP BUT NOTHING AS OF YET THE MEDIA HAVE SHAPED THIS ELECTION TO ONLY 5 MAYORAL CANDIDATES DEPRIVING VOTERS A RIGHT TO CHOOSE AND AS WELL AS PLAINTIFFS FIRST AMENDMENT RIGHT TO BE HEARD AS CANDIDATES THERE IS NOT LAW THAT SAYS CANDIDATES MUST MEET CERTAIN REQUIREMENTS TO BE HEARD THROUGH THE MEDIA IN FRONT OF THE PUBLIC IF PLAINTIFFS VOICE AND POLITICAL VIEWS ARE NOT HEARD EQUALLY THROUGH THE MASSES GIVEN THE SAME EQUAL TIME OPPORTUNITY AFFORDED BY LAW THIS WILL CAUSE IRREPABLE HARM TO PLAINTIFFS CANDIDANCY IF PLAINTIFFS ARE NOT INCLUDED IN KTRK-TV ABC 13 TELEVISED DEBATE AND WILL HAVE A NEGATIVE ETECT ON THE OUTCOME OF PLAINTIFFS ELECTION THE PUBLICE WILL ONLY BE LED TO BELIEVE THAT THERE ARE ONLY 5 MAYORAL CANDIDATES IN THIS MAYORAL RACE DURING THAT LIVE DEBATE WHEN THERE ARE 12 KTRK-TV ABC 13 IS ONLY CHOOSING CANDIDATES WITH BIG MONEY AND LEAVING THE PLAINTIFFS IN WHICH IS MINORITY CANDIDATES WITH THE LEAST AMOUNT OF MONEY OUT OF THE LIVE STREAM PUBLIC DEBATE ON OR ABOUT 9.3.2019 MAYORAL CANDIDATE DEMETRIA SMITH WENT TO A MAYORAL FORUM HOSTED BY SUPERNEIGHBORHOOD 12 PRESIDENT MARK KLEIN AND WAS TOLD THAT CONSTABLES WILL BE AT THE GARDEN OAKS VENUE WHERE THE MAYORAL FORUM WAS HELD WHEN PLAINTIFF SMITH CONFIRMED HER ATTENDANCE AND WAS TOLD THAT SHE COULD NOT GET ON THE STAGE WITH THE REST OF THE MAYORAL CANDIDATES SMITH ATTEMPTED TO GET ON THE STAGE WHEN MAYORAL CANDIDATES WERE CALLED TO THE STAGE BUT WAS MET BY FOUR PRECINCT 1 CONSTABLES STANDING IN FRONT OF MAYORAL CANDIDATE DEMETRIA

SMITH TO STOP HER FROM GETTING ON THE STAGE TO PARTICIPATE MAYORAL CANDIDATE DEMETRIA SMITH DID NOT CAUSE A DISTURBANCE BEFORE OR AFTER ATTEMPTING TO GET ON THE STAGE HOWEVER PRECINCT ONE CONSTABLE OFFICERS SEIZED AND UNLAWFULLY DETAINED MAYORAL CANDIDATE DEMETRIA SMITH WITHOUT A WARRANT OR A CRIME IN PROGRESS CONSTABLES INFRINGED ON MAYORAL CANDIDATE DEMETRIA SMITH 1ST AMENDMENT RIGHT OF FREEDOM OF SPEECH AT A MAYORAL FORUM MAYOR SYLVESTER TURNER HAD HIS SECURITY DETAILS TO GUARD THE ENTRY OF THE STAGE IN WHOM SOME WAS HPD OFFICERS PROHIBITING MAYORAL CANDIDATE DEMETRIA SMITH FROM PARTICIPATING IN THE MAYORAL FORUM AND WATCHED CONSTABLES UNLAWFULLY DETAINED MAYORAL CANDIDATE DEMETRIA SMITH WITHOUT SAYING ONE WORD ALONG WITH HIS SECURITY DETAIL/HPD OFFICER(S) THE REASON THE LAW ENFORCEMENT AGENCIES IS BEING NAMED IN THIS PETITION IS DUE TO THE AGENCY IS BEING USED TO INTIMIDATE MAYORAL CANDIDATE DEMETRIA SMITH FROM LAWFULLY PARTICIPATING IN THIS MAYORAL ELECTION BY UNLAWFUL DETAINMENT WITH NO CRIME IN PROCESS LAW ENFORCEMENT AGENCIES ARE NOT PAID TO STOP CANDIDATES FROM PARTICIPATING IN DEMOCRACY THE ARE PAID TO PREVENT OR STOP CRIME ALONG WITH PROTECTING AND SERVING TH PUBLIC SO THEREFORE LAW ENFORCEMENT AGENCIES MAINLY NAMED IN THIS PETITION FOR THE UPCOMING MAYORAL DEBATE NAMED IN THIS PETION WILL BE USED AT THE INSTRUCTION OF EITHER SYLVETER TURNER HOBBY CENTER VENUE MANAGEMENT OR KTRK-TV ABC 13 MEDIA NEWS OUTLET TO UBLAWFUL DETAIN MAYORAL CANDIDATE DEMETRIA SMITH AND/OR THE OTHER MAYORAL CANDIDATES FROM PARTICIPATING AT THE LIVE MAYORAL DEBATE NAME IN THIS PTITION KTRK-TV WEBSITE IS SHOWING THAT THE MAYORAL DEBATE IS INVITATION ONLY WHEN KTRK-TV ABC 13 AIRED IT TO THE PUBLIC THIS WEBSITE INVITATION ONLY WILL ONLY BEING GIVEN TO LAW ENFORCEMENT AGENCIES MISLEADING THEM TO A MALICIOUS

PROCESECUTION FOR CRIMINAL TRESPASSING OR TRESPASSING ON MAYORAL CANDIDATE DEMETRIA SMITH AND/OR OTHER MAYORAL CANDIDATES NAMED IN THIS PETITION WHEN IT IS BEING AIRED IN THE PUBLIC FOR THE PUBLIC TO ATTEND SO IT APPEARS THE KTRK-TV ABC 13 IS STAGING A MALICIOUS PROSECUTION FOR UNINVITED MAYORAL CANDIDATES WHO ATTEMPT TO RIGHTFULLY AND LAWFULLY ATTEND THIS LIVE MAYORAL DEBATE BEING ON THE SAME STAGE AS THE REST OF THE MAYORAL CANDIDATES KTRK-TV ABC 13 HAVE USED THIS SAME PATTERN AND PRATICE IN 2015 MAYORAL LIVE DEBATE AT THE SAME VENUE NAMED IN THIS PETITION AGAINST MAYORAL CANDIDATE DEMETRIA SMITH AND INVOLVED SEVERAL LAW ENFORCEMENT AGENCIES NAMED AS DEFENDANTS TO ESCORT MAYORAL CANDIDATE DEMETRIA SMITH OUT OF THE BUILDING ALONG WITH THE BOBBY CENTER MANAGER STATING THAT THE EVENT WAS PRIVATE AND NOT OPEN TO THE PUBLIC WHEN ACTULLY IT WAS OR HOW ELSE WOULD THE PUBLIC DECIDE ON THEIR CANDIDATE OF CHOICE AS SHE HERSELF WAS A MAYORAL CANDIDATE AT THAT TIME SO TO DATE IN 2019 KTRK-TV ABC 13 IS USING THE SAME PATTERN AND PRATICE TO DEPRIVE MAYORAL CANDIDATE DEMETRIA SMITH FROM EQUAL TIME TO BE ON THE SAME DEBATE STAGE AS WELL AS THE OTHER MAYORAL CANDIDATES NAMED IN THIS PETITION IF ANY LAW ENFORCEMENT AGENCIES RETALIATE AGAINST ANY MAYORAL CANDIDATES NAMED AS PLAINTIFFS IN THIS PETITION FOR NAMING THEM IN THIS LAWSUIT WILL ONLY TRIGGER THE RETALIATION CRIMINAL LAW AGAINST ANY OFFICERS WITHIN THE AGENCIES NAMED IN THIS PETITION AND THE DEPARTMENTS WILL BE CIVILY LIABLE UNDER **42 USC 1983** AND THE WAY THE IT APPEARS TO LOOK AS IF CERTAIN HIGH PROFILE CANDIDATES KTRK-TV ABC 13 HOBBY VENUE MANAGEMENT ANY LAW ENFORCEMENT AGENCIES ESPECIALLY NAMED IN THIS PETITION IS CONSPIRING TO VIOLATE PLAINTIFFS CIVIL RIGHTS TO PARTICIPATE IN THE ELECTORATE ELECTIONS AS CANDIDATES UNDER **42 USC 1985** DEMETRIA SMITH FILED HER

CANDIDACY TO RUN FOR MAYOR OF THE CITY OF HOUSTON BACK ON 1.3.19 AND HAVE YET TO BE CONTACTED FOR EQUAL TIME BY ANY OF THE MEDIA SOURCE AND PERSONS NAMED IN THIS PETITION FOR AN

MAYORAL CANDIDACY INTERVIEW AS EACH DEFENDANTS HAVE INTERVIEWED MAYORAL CANDIDATES BILL KING TONY BUZBEE AND NOW NEW MAYORAL CANDIDATE DWIGHT BOYKINS ALL THREE MALE CANDIDATES FOX 26 NEWS ISIAH CAREY EVEN ANNOUNCED AND SHOWED A PICTURE OF FORMER CITY COUNSEL SUE LOVELL ON 6.6.19 STATING THAT SHE IS CONSIDERING TO RUN FOR HOUSTON MAYOR BUT HAVE YET TO CONTACT MAYORAL CANDIDATE DEMETRIA SMITH FOR AN INTERVIEW AND HAVE IGNORED HER EQUAL TIME REQUEST THIS IS OUT RIGHT SEXISM OF A BLACK WOMAN RUNNING FOR HOUSTON MAYOR DUE TO THE FACT THAT MY CAMPAIGN MANAGER LORI DUNN CONTACTED ISIAH CAREY IN FEBRUARY VIA FACEBOOK AND ASKED FOR AN INTERVIEW FOR MAYORAL CANDIDATE DEMETRIA SMITH AND PER CAMPAIGN MANAGER DEFENDANT **ISIAH CAREY** RESPONSE THAT MAYORAL CANDIDATE DEMETRIA SMITH WAS GOING TO GET HER LATER UP THE ROAD WHATEVER THAT MEAN MAYORAL CANDIDATE DEMETRIA SMITH HAVE THE SAME RIGHTS UNDER THE LAW TO EXERCISE HER RIGHTS IN TERMS OF EQUAL TIME AS WELL AS THE OTHER MALE MAYORAL CANDIDATES BILL KING TONY BUZBEE SYLVESTER TURNER AND NOW DWIGHT BOYKINS MAYORAL CANDIDATE DEMETRIA SMITH BLACK WOMAN HAVE BEEN DEPRIVED OF HER FIRST AMENDMENT RIGHTS AND 14TH AMENDMENT RIGHTS UNDER THE LAW AS A BLACK WOMAN MAYORAL CANDIDATE VOTING HISTORY STATISTICS PROVES THAT MORE WOMEN VOTE THAN MEN AND IT IS NOTICABLE AS TO THE REASON WHY BLACK WOMAN MAYORAL CANDIDATE DEMETRIA SMITH IS BEING BLACK BALLED/EXCLUDED BY THE MEDIA OUTLETS LISTED IN THIS PETITION AND IT PROVES SEXISM AS A BLACK WOMAN MAYORAL CANDIDATE THIS IS THE SECOND TIME IN THE MAYORAL ELECTION SEASON THAT DEMETRIA SMITH HAVE BEEN BLACK BALLED BY MEDIA THIS ALSO HAPPENED IN 2015

MAYORAL ELECTION TO CANDIDATE DEMETRIA SMITH WITH THE SAME MEDIA OUTLETS THAT HAVE BEEN LISTED IN THIS PETITION VOTERS ARE UNDER THIS FALSE NOTION THAT THERE ARE ONLY FOUR MAYORAL CANDIDATES IN THIS MAYORAL ELECTION WHEN THERE ARE MORE INCLUDING MAYORAL CANDIDATE DEMETRIA SMITH VOTERS ARE FALSELY MISINFORMED WHEN IT IS THEIR TAX DOLLARS THAT WILL BE PAYING FOR THE CITY MUNICIPAL ELECTION INCLUDING THE MAYORAL ELECTION AND SO IT IS NOT FAIR THAT THEY CAN NOT CHOOSE FROM ALL CANDIDATES WHO'VE FILED TO RUN IN THIS MAYORAL ELECTION INCLUDING MAYORAL CANDIDATE DEMETRIA SMITH THIS FALSE FRAUDENTLY DEPRIVATION OF THE VOTERS RIGHT IS A VIOLATION TO ALL VOTERS AND MAYORAL CANDIDATE DEMETRIA SMITH VOTERS HAVE THE RIGHT TO KNOW HOW THEIR MONEY IS BEING SPENT IN THIS MUNICIPAL ELECTIONS AND TO KNOW EACH MAYORAL CANDIDATES WHO HAVE FILED INCLUDING MAYORAL CANDIDATE DEMETRIA SMITH AND THEY ARE BEING MISINFORMED AND DECIEVED BY THE MEDIA OUTLETS KNOWN AS THE DEFENDANTS NAMED IN THIS PETITION THIS BLACK BALLING OF MAYORAL CANDIDATE DEMETRIA SMITH COULD NEGATIVELY INFLUENCE THE OUTCOME OF HER ELECTION IF THE VOTERS ARE NOT INFORMED OF HER CANDIDACY LIKE THEY ARE INFORMED OF THE MALE MAYORAL CANDIDATES **(47 CFR § 73.1941 - Equal opportunities.**

E) Discrimination between candidates. In making time available to candidates for Public office, no licensee shall make any discrimination between candidates in Practices, regulations, facilities, or services for or in connection with the service Rendered pursuant to this part, or make or give any preference to any candidate For public office or subject any such candidate to any prejudice or disadvantage; Nor shall any licensee make any contract or other agreement which shall have the Effect of permitting any legally qualified candidate for any public office to

Broadcast to the exclusion of other legally qualified candidates for the same Public office.

[57 FR 208, Jan. 3, 1992, as amended at 59 FR 14568, Mar. 29, 1994

JURISDICTION AND VENUE

This court has jurisdiction over this federal matter and the venue is proper

FACTS

HOUSTON MAYORAL CANDIDATE DEMETRIA SMITH (BLACK FEMALE) FILED HER APPOINTMENT TO RUN ON 1.3.19 SMITH WAITED ONE MONTH FOR MEDIA TO CONTACT HER FOR INTERVIEWS AND HAVE NOT RECEIVED NOT ONE PHONE CALL FROM EITHER OF THE DEFENDANTS THAT HAVE GIVEN EQUAL TIME TO HOUSTON MAYORAL CANDIDATES TONY BUZBEE BILL KING AND NOW DWIGHT BOYKINS DEMETRIA SMITH SENT OUT HER FIRST EMAILS TO THE DEFENDANTS TO REQUEST HER EQUAL TIME AS A MAYORAL CANDIDATE STARTING ON 2.4.19 AND HAVE NOT RECEIVED ANY RESPONSE FROM EACH DEFENDANT IN THAT MONTH MAYORAL DEMETRIA SMITH EQUAL TIME REQUESTS CONTINUES TO GET IGNORED MAYORAL CANDIDATE DEMETRIA SMITH CAMPAIGN KICK OFF WAS HELD AT CAFÉ 4212 ON 2.16.19 AND SMITH HAVE INVITED ALL MAJOR MEDIA OUTLETS INCLUDED THE DEFENDANTS LISTED ABOVE AND NEITHER OF THE DEFENDANTS RESPONDED OR SHOWED UP AS THEY DID FOR MAYORAL CANDIDATES TONY BUZBEE AND BILL KING CAMPAIGN KICK OFF EVENTS **§ 73.1941 Equal opportunities.**

(a)General requirements. Except as otherwise indicated in **§ 73.1944**, no station Licensee is required to permit the use of its facilities by any legally qualified Candidate for public office, but if any licensee shall permit any such candidate to

Use its facilities, it shall afford equal opportunities to all other candidates for that Office to use such facilities. Such licensee shall have no power of censorship over The material broadcast by any such candidate. Appearance by a legally qualified Candidate on any:

(1) Bona fide newscast;

(2) Bona fide news interview;

(3) Bona fide news documentary (if the appearance of the candidate is incidental To the presentation of the subject or subjects covered by the news documentary);
or

(4) On-the-spot coverage of bona fide news events (including, but not limited to political conventions and activities incidental thereto) shall not be deemed to be use of broadcasting station. **(section 315(a) of the Communications Act.)**

On 2.11.19 Demetria Smith have emailed **Greg Groogan** on fox 26 news what's your point and requested equal time and he yet to respond to my request as a mayoral candidate although Demetria Smith made mention that he interviewed mayoral candidate Bill King still no response Demetria Smith send several emails to defendant **Greg Groogan** requesting equal time and he do not respond to any requests **47 U.S. Code § 315. Candidates for public office**

U.S. Code

(a) Equal opportunities requirement; censorship prohibition; allowance of station use; news appearances exception; public interest; public issues discussion opportunities

If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station: Provided, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is imposed under this subsection upon any licensee to allow the use of its station by any such candidate. Appearance by a legally qualified candidate on any—

(1) bona fide newscast,

(2) bona fide news interview,

(3) bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or

(4) on-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto),

shall not be deemed to be use of a broadcasting station within the meaning of this subsection. Nothing in the foregoing sentence shall be construed as relieving broadcasters, in connection with the presentation of newscasts, news interviews, news documentaries, and on-the-spot coverage of news events, from the obligation imposed upon them under this chapter to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on

Issues of public importance. MAYORAL CANDIDATE DEMETRIA SMITH HAVE EMAIL **CHAUNCY GLOVER** BACK ON 5.07.19 TO REQUEST EQUAL TIME AS HE HAVE GIVEN THE OTHER THREE MAYORAL CANDIDATES SYLVESTER TURNER BILL KING AND TONY BUZBEE AND HAVE GIVEN ME SOME EXCUSE AT TO HOW THEY HAVE PERCENTAGES ON THE MAIN 3 MAYORAL CANDIDATES HE WAS VAGUE WHEN HE REACHED ME BY CELL PHONE AND TOLD ME THAT HE OR SOMEONE FROM HIS OFFICE WILL CONTACT ME AND AS UP TO DATE NO ONE HAVE REACH ME NOR HAVE HE MY LAST EMAIL TO CHAUNCY WAS DATED BACK ON 05.27.19 AS I CAN RECALL NOTHING ELSE FROM HIM AT THIS TIME **KHAMBREL MARSHAL** I HAVE SPOKEN TO BACK

IN FEBRUARY AND HE DID REACH OUT TO ME VIA EMAIL AND PHONE CALL BUT STATED TO ME THAT HE HAVE TO GET THE GUYS PERMISSION TO GIVE ME EQUAL TIME AND THAT HE REALLY DID NOT HAVE TO GIVE ME EQUAL TIME AND THAT THE MEDIA ONLY TARGETS FLASHY MAYORAL CANDIDATES AND CANDIDATES WITH MONEY ("UNFORTUNNATELY") HIS WORDS TO ME AND THAT HE WILL GET MAYORAL CANDIDATE DEMETRIA SMITH ON BETWEEN THE FEBRUARY AND BEFORE THE END OF MARCH OF 2019 BUT INSTEAD HE INTERVIEWED MAYORAL CANDIDATE TONY BUZBEE ON 3.29.19 AND DID NOT CONTACT DEMETRIA SMITH UNTIL ALMOST A MONTH LATER WITH STILL NO INTERVIEW SCHEDULED MAYORAL CANDIDATE DEMETRIA SMITH JUST WANT HER FAIR SHARE WITH WHAT THE LAW PROVIDES AND MUST BE INFORCED AND THE PUBLIC MUST KNOW THAT A BLACK WOMAN IS RUNNING FOR HOUSTON MAYOR AS A DEMOCRAT KNOWING THAT THE DEMOCRATIC BASE IS BLACK VOTERS SO WITH THAT ALL VOTERS ESPECIALLY THE DEMOCRATIC BASE MUST KNOW THAT THERE IS ANOTHER OPTION IN THIS MAYORAL ELECTION AND HER NAME IS DEMETRIA SMITH CANDIDATR DEMETRIA SMITH HAVE BEEN EXCLUDED AND TREATED UNFAIRLY WITH LOCAL MEDIA LISTED IN THIS PETITION IT IS TO MAYORAL CANDIDATE UNDERSTANDING WITH THE PATTERNS AND

PRATICES OF LOCAL MEDIA LISTED IN THIS PETITION EXCLUDE HER FROM PARTICIPATING IN THE UPCOMING 2019 TELEVISED MAYORAL DEBATES/MAJOR DEBATES FROM HER PAST EXPERIENCE AND HER PRESENT EXPERIENCE DUE TO EVIDENCE OF LOCAL MEDIA EXCLUDING HER FROM MAYORAL INTERVIEWS MAYORAL CANDIDATE DEMETRIA SMITH WAS RACIALLY PROFILED ON 6.12.19 BY HPD EVIDENCE PROVEN VIA SOCIAL MEDIA AND WAS SUBMITTED TO LOCAL

MEDIA NEWS DESK ON 6.12.19 AND NO ONE CONTACTED DEMETRIA SMITH TO EVEN COVER THAT NEWS

WORTHY STORY AS A MAYORAL CANDIDATE SO THEREFORE ANY COVERAGE WITH DEMETRIA SMITH NAME LOCAL MEDIA IS KNOWN TO IGNORE HER PRESS CONFERENCE REQUESTS HER PRESS RELEASE REQUESTS AND HER NEWS STORY REQUESTS IT IS EVIDENT THAT LOCAL MEDIA HAVE BLACK BALLED DEMETRIA SMITH ON ANY TYPE OF MEDIA COVERAGE ON THE BALLOT AND OFF THE BALLOT ON THE CAMPAIGN TRAIL AND OFF OF THE CAMPAIGN TRAIL THIS HAS BEEN A PATTERN AND PRATICES SINCE 2015 MAYORAL ELECTION OF DEMETRIA SMITH AND MUST STOP AS FAR AS BONA FIDE INTERVIEWS GOES WHEN A CANDIDATE HAVE A WHOLE SEGMENT/PROGRAM DEDICATED TO THEIR CANDIDACY IT TRIGGERS THE EQUAL TIME RULE AS OF 6.18.19 ISIAH CAREY PRODUCER MARK COLEMAN HAVE REACHED OUT TO ME VIA FACEBOOK TO SCHEDULE ME AN INTERVIEW FOR 6.20.19 AT 10:30P WITH ALL OF THE OTHER 3 LESSER KNOWN MAYORAL CANDIDATES AS HIS PRODUCER CALL US HOWEVER I ASKED IF I CAN HAVE MY SEPARATE INTERVIEW AS THE OTHER DEEP POCKET MAYORAL CANDIDATES ON HIS SHOW AND HIS PRODUCER WROTE ME IN FACEBOOK AND TOLD ME THAT ISIAH SAID NO I ASKED THE REASON FOR HIS NO AND HE STATED THAT ISIAH SAID THAT IS JUST WAY HE DO THINGS I THEN ASKED THE PRODUCER MARK COLEMAN AND TO ASK ISIAH IS THIS THE FCC RULES HE IS FOLLOWING AND I GOT NO RESPONSE ON THAT QUESTION I'M AM CONCERN THAT ALL LOCAL MEDIA STATIONS NAMED AND JOURNALIST NAME IN THIS PETITION WILL

CONTINUE EITHER BY THEIR OWN WILLINGNESS WILL VIOLATE MY EQUAL TIME AS A MAYORAL CANDIDATE DURING THE REST OF THE TERM OF THIS MUNICIPAL MAYORAL ELECTION AND ANY OTHER FUTURE ELECTIONS THAT I PARTICIPATES IN AS A CANDIDATE I'VE BEEN TREATED UNFAIR AS A VIABLE LEGALLY QUALIFIED CANDIDATE I HAVE BEEN IGNORED AND OVERLOOKED BY LOCAL MEDIA AND JOURNALIST NAMED IN THIS PETITION THE DEFENDANTS NAMED IN THIS PETITION HAVE FAVORED 4 DEEP POCKETS MONEY MAYORAL CANDIDATES WITH DIGNITY AND RESPECT BY AFFORDED THEM THEIR RIGHTS UNDER THE EQUAL TIME RULE OF FCC BY CREATING A WHOLE PROGRAM SEGMENT JUST STRICTLY TALKING ABOUT THEIR CANDIDACY AND PLATFORM ALLOWING THE GENERAL PUBLIC TO SEE AND HEAR THEIR POLITICAL STANCE AS TO WHY THEY SHOULD BE MAYOR IN THE CITY OF HOUSTON ALL 3 MAYORAL CANDIDATE HAVE HAD A WHOLE PROGRAM SEGMENT CREATED FOR THEM GIVING THEM THE POLITICAL ADVANTAGE OVER PLAINTIFF CANDIDACY THE MAIN THREE THAT HAD THEIR POLITICAL ADVANTAGE INTERVIEWS ARE BILL KING TONY BUZBEE AND DWIGHT BOYKINS PLAINTIFF IS THE ONLY WOMAN AT THIS TIME THAT HAVE FILED SINCE 1.3.19 TO RUN FOR MAYOR AND HAVE HAD 5 MONTHS OF POLITICAL DISADVANTAGE AND NOW THE PUBLIC IS ONLY LED TO BELIEVE THAT THERE IS ONLY 4 MAYORAL CANDIDATES SYLVESTER TURNER BILL KING TONY BUZBEE AND DWIGHT BOYKINS WHEN THERE ARE 8 INCLUDING DEMETRIA SMITH THIS BLATANTLY DISREGARD FOR THE FEDERAL STATUTES REGARDING EQUAL TIME IS PATHETHIC EVERY MAYORAL CANDIDATE SHOULD BE TREATED THE SAME IN THIS REGARDS AND EQUALLY IT IS THE LAW AND NO MEDIA OR WHOEVER THE MEDIA IS GETTING THEIR DIRECTIVES FROM IS ABOVE THE LAW OR CANDIDATES RIGHTS VOTERS HAVE A RIGHT TO KNOW WHO'S ALL RUNNING AND EVERY CANDIDATE HAVE A RIGHT TO BE HEARD WHO ASK'S TO BE MARIO DIAZ HAVE REPORTED ON KPRC 2 NEWS ON 6.26.2019 4 MAYORAL CANDIDATES WHICH INCLUDES DWIGHT BOYKINS BILL KING TONY BUZBEE AND SYLVESTER TURNER BUT HOWEVER DID NOT

INCLUDE MAYORAL CANDIDATE DEMETRIA SMITH IN THAT SAME NEWS REPORT AS A MAYORAL CANDIDATE MARIO DIAZ ALSO MENTION POTENTIAL MAYORAL CANDIDATE SUE LOVELL WHOM HAVE NOT FILED TO RUN YET AT THIS TIME TO BEING POISE TO BE THE FIRST WOMAN TO ENTER INTO THE MAYORAL RACE IN WHICH IS FALSE MISLEADING AND AN INTENTIONAL LIE TO THE PUBLIC KPRC 2 NEWS CAN AND HAVE VERIFIED ALL CANDIDATES THAT HAVE COME AFTER DEMETRIA SMITH CANDIDACY FILING AND POTENTIAL CANDIDATE WHO HAVE NOT FILED BUT HAVE NOT KNOWN ABOUT DEMETRIA SMITH CAMPAIGN FILING SINCE 1.3.19? THIS IS UNBELIEVABLE AND WILL BE ANOTHER OUTRIGHT LIE FROM THE KPRC STATION AND FROM MARIO DIAZ HE KNOWS HOW TO FIND AND VERIFY POTENTIAL CANDIDATES BUT COULD NOT FIND AND VERIFY MAYORAL CANDIDATE DEMETRIA SMITH CANDIDATE DEMETRIA SMITH HAVE CONTACTED DAVE STRICKLAND AT KPRC 2 NEWS STATION THE NEWS ROOM DIRECTOR AND HAVE SPOKE WITH HIM IN REGARDS TO MARIO DIAZ FALSE REPORTING ABOUT SUE LOVELL POISE TO BEING FIRST WOMAN TO ENTER INTO THE RACE AND HE WAS VERY VAGUE ANGRY AND EVASIVE ABOUT THE DISCUSSION OF RETRACTED THAT INACURRATE STORY IN THE MEDIA AND STATED THAT HE WILL NOT MAKE ANY PROMISES IN CORRECTING THE STORY EVEN ONCE HE HAVE VERIFIED THAT MAYORAL CANDIDATE DEMETRIA SMITH FILED BACK IN 1.3.19 WHEN SMITH ASK HIM TO RETRACT AND CORRECT THE STORY HIS ONLY RESPONSE THROUGHOUT THE CONVERSATION WAS THAT HE WOULD NOT MAKE ANY PROMISES SO SMITH WAS LEFT WITH THE IMPRESSION THAT DAVE STRICKLAND WILL CONTINUE TO MISLEAD THE PUBLIC INTO BELIEVING THAT SUE LOVELL IS POISE TO BEING THE FIRST WOMAN WHO WILL ENTER INTO THE RACE WHEN SHE IS ABSOLUTELY NOT AND DEMETRIA SMITH MADE DAVE STRICKLAND AND MARIO DIAZ AWARE OF THE FALSE AND MISLEADING NEWS REPORT THAT DAVE STRICKLAND APPEAR TO CORRECT MAYORAL CANDIDATE DEMETRIA SMITH FEELS THAT KPRC IS TRYING TO UNDO THE 6MOS OF HARD

GRASSROOT CAMPAIGNING BY CONNECTING WITH HER VOTERS AND BUILDING HER BASE BY SENDING A MESSAGE OUT TO THE PUBLIC THAT DEMETRIA SMITH IS NOT A REAL CANDIDATE OR VIABLE CANDIDATE OR JUST PLAINLY DO NOT EXIST IN THIS ELECTION AS WOMAN WHO IS RUNNING FOR MAYOR KPRC 2 NEWS IS TRYING TO ERASE THE HARD WORK THAT SMITH CAMPAIGN HAVE PUT IT AS WELL AS CONNECTING TO THE PUBLIC THROUGH SOCIAL MEDIA KPRC 2 NEWS IS INTENTIONALLY AND POLITICALLY SENDING THE WRONG MESSAGE TO DEMETRIA SMITH BASE BY TRYING TO ELIMINATE OR CENSOR HER VOICE AND APPEARANCE ON THEIR STATION DEMETRIA SMITH HAVE BEEN DISCRIMINATED AGAINST BY KPRC BY THE STATION MAKING MENTION OF SUE LOVELL IN WHICH SHE IS A WHITE WOMAN WHO HAVE NOT FILE TO RUN YET BUT TOTALLY IGNORED ALL OF MAYORAL CANDIDATE DEMETRIA SMITH EMAILS REQUESTING EQUAL TIME AS A BLACK WOMAN MAYORAL CANDIDATE WHO AGAIN FILED BACK IN 1.3.19 THIS IS OUTRIGHT BIAS A RACIAL DISCRIMINATION FURTHERMORE IN REGARDS TO FOX 26 AND KPRC 2 NEWS HAVE DISCRIMINATED AGAINST MAYORAL CANDIDATE DEMETRIA SMITH DUE TO HER LACK OF HAVING BIG MONEY BIG ADVERTISING DOLLARS TO SPEND ON THEIR NETWORK BECAUSE THEY HAVE PUBLICLY DEMONSTRATED WHO THE BIG MONEY DEEP POCKET MONEY BAG CANDIDATES ARE IN WHICH IS DWIGHT BOYKINS TONY BUZBEE BILL KING AND SYLVESTER TURNER FOX 26 NEWS ISIAH CAREY HAVE BRAGGED ABOUT THESE CANDIDATES OF HAVING BIG MONEY ON HIS SHOW AND KPRC 2 NEWS HAD A POLITICAL ANALYST DISCUSSING HOW MUCH THESE FOUR CANDIDATE EACH HAVE IN THEIR FINANCIAL WAS CHEST BUT DID NOT MAKE MENTION CANDIDATE DEMETRIA SMITH AND THAT IS BECAUSE DEMETRIA SMITH DO NOT HAVE DEEP POCKETS THE MONEY BAG OR BIG MONEY TO SPEND ON EACH OF THESE NEWS NETWORK STATIONS LISTED IN THIS COMPLAINT AS DEFENDANTS SO WITH THAT BEING SAID ALL OF THE FREE INTERVIEWS THAT EACH OF THE 3 ORT OF FOUR DEEP POCKET CANDIDATES HAD ON EACH NETWORK DUE TO THEIR DEEP

POCKETS IN TERMS OF FINANCE PROHIBITED MAYORAL CANDIDATE DEMETRIA SMITH FROM GETTING THE EQUAL TIME INTERVIEW THAT SHE HAS BEEN REQUESTING AND THAT THE LAW REQUIRES THE LAW DOES NOT SAY THAT A CANDIDATE HAVE TO HAVE DEEP POCKETS A BIG MONEY BAG OR FINANCIAL WAR CHEST TO GET EQUAL TIME IT STATES WHEN A CANDIDATE REQUEST EQUAL TIME THAT CANDIDATE MUST BE GIVEN THAT EQUAL TIME AND SINCE MAYORAL CANDIDATE DEMETRIA SMITH DO NOT HAVE BIG MONEY TO GET THE SAME FREE EQUAL TIME AS THE OTHER FOUR CANDIDATES OR GETTING SHE HAVE LEFT OUT AND IGNORED AS A CANDIDATE BY THE DEFENDANTS SHE HAVE BEEN TOTALLY DISCRIMINATED AGAINST DUE TO HER BEING A WOMAN, BLACK WOMAN IN THIS MAYORAL RACE AND LACK OF BIG MONEY THIS IS NOT HOW THE LAW WORKS AND SMITH VOTERS ARE CONCERN THAT SHE IS NOT LEGITIMALLY RUNNING FOR MAYOR SINCE SHE'S NOT BEING MENTIONED LIKE THE OTHER 4 GUYS MAYORAL CANDIDATE AND NOT BEING INTERVIEWED BY THE NAMED DEFENDANTS WHO'VE INTERVIEWED THE OTHER 4 GUYS MAYORAL CANDIDATE SMITH IS WORKING HARD AND SACRIFICING HER TIME AND THE LITTLE MONEY THAT SHE HAVE TO HAVE THE SAME RIGHT AS THE BIG MONEY FOUR HAVE BUT IS BEING TREATED UNEQUALLY AND UNFAIRLY SMITH VOTERS BASE AND POTENTIAL VOTING BASE IS LOOSING CONFIDENCE IN HER CAMPAIGN DUE TO THE LACK OF FREE MEDIA ATTENTION THAT HAVE BEEN GIVEN TO THE FOUR MAYORAL CANDIDATE GUYS DEMETRIA SMITH STARTED WITH A TEAM OF 20 AND IS NOW DOWN TO A TEAM OF FIVE DUE TO THE LACK OF CONFIDENCE OF HER CANDIDACY NOT BEING MENTIONED ON THE AIR TO THE PUBLIC AS THE OTHER FOUR BIG MONEY GUYS CANDIDATES GETTING SO LACK OF EQUAL TIME AND FAIR TREATMENT IS AN INJURY TO DEMETRIA SMITH AND HER CAMPAIGN THIS UNFAIR TREATMENT BY THE NAMED DEFENDANTS IS AN EMBARRASMENT AND HUMILATION TO MAYORAL CANDIDATE DEMETRIA SMITH AND HER CAMPAIGN AND THE OTHER FOUR SO CALLED MAJOR MALE MAYORAL CANDIDATES SITS

COUNT 3: (b) Uses. As used in this section and § 73.1942, the term "use" means a candidate appearance (including by voice or picture) that is not exempt under paragraphs 73.1941 (a)(1) through (a)(4) of this section

COUNT 4: (a) General requirements. Except as other-wise indicated in § 73.1944, no station licensee is required to permit the use of its facilities by any legally qualified candidate for public office, but if any licensee shall permit any such candidate to use its facilities, it shall afford equal opportunities to all other candidates for that office to use such facilities. Such licensee shall have no power of censorship over the material broadcast by any such candidate

Count:5 Constitutional violation of 1st amendment right

PRAYERS

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests it hereby recover the following relief against Defendants

1. A temporary restraining order issued to defendants to give what's required by law plaintiffs equal time immediately and not waiting for ballot application to open and close and to have equal time throughout this whole election
2. Defendant ktrk-tv abc 13 to enforce the equal time rule by adding plaintiffs onto the live mayoral debate stage held on 10.2.2019 at said venue named in this petition
3. All law enforcement agencies mainly named in this petition to not infringe or interfere on plaintiffs Demetria Smith, Derek Broze and Johnny T. Taylor liberties and first amendment right to participate in the mayor debate at said venue named in this petition
4. Monetary damages in the amount 150,000,00 for candidate discrimination
5. Any other relief to which Plaintiffs is justly entitled

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PLAINTIFF DEMETRIA SMITH


PRO SE

EMAIL: DSMITH9550@YAHOO.COM Please send all correspondence via email

Contact: 832.671.9712

Signature

Date


9 / 27 / 2019

Certificate

I Demetria Smith is competent
and above the age 18 to file
this Federal lawsuit on this day
9.26.19

A handwritten signature in black ink, consisting of a series of loops and curves, likely representing the name of the person who signed the certificate.